--REMARKS--

Claims 1-15 remain under consideration and claims 16-20 have been added. Applicants thank Examiner Leung for her many courtesies in the telephonic interview of June 6, 2005 but regret that interview was not successful in reaching agreement. Support for claims 16-20 is found, inter alia, on pages 6-8 of the specification, and in FIG. 1 of the specification of United States Patent Application 10/007,024.

A. The Examiner objected to Applicant's claim of priority

The specification has been amended to no longer claim priority. Withdrawal of the objection is requested.

B. The Examiner objected to the drawings.

The objection to the drawings is traversed. Notably, the Examiner fails to cite to any statutory basis for an objection, instead alleging only that descriptive labels should be included in the figure in order to allow the figure to be more easily understood in the art. Applicants state that the figure as drawn is capable of being understood by one of ordinary skill in the art. Formal drawings, complying with the rules of 37 C.F.R. 1.84 are attached hereto.

Withdrawal of the objection to the drawings is requested.

C. Claims 1-3, 5, 7, 8, 10 and 12-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Degura in view of Ito

The §103(a) rejection of claims 1-3, 5, 7, 8, 10, and 12-15 is traversed. In order to maintain this rejection, each and every element of the claims must be taught or suggested by the references, in at least as great detail as claimed.

At a minimum, Degura in view of Ito fails to teach or suggest "a lens housing for mounting the output lens to transmit optical output signals, and for mounting the input lens to receive optical input signals, the lens housing including a reflective surface adapted for receiving the reference signal from the monitor optical signal generator and for directing the reference signal to the monitor optical signal detector" as claimed in claims 1 and 10, and "mounting an input lens and an output lens in a lens housing having a reflective surface for receiving the reference optical signal from the monitor optical signal generator and directing the reference optical signal to the monitor optical signal detector" as claimed in claim 12.

Specifically, Degura and Ito teach an optical space communication apparatus and an optical space transmission apparatus and information transmission method, respectively. The Examiner correctly does not rely on Degura for any teachings of a "housing", and instead relies on Ito to teach the claim language identified above.

However, Ito does not teach these claim elements, and specifically teaches away from these claims. Applicants claim that "a lens housing for mounting the output lens to transmit optical output signals, and for mounting the input lens to receive optical input signals, the lens housing including a reflective surface..." – thus, the housing includes mountings for both the output lens and the input lens, as well as a reflective surface. At most, Ito teaches that a "housing 2 in which all of the components are accommodated." See, column 3, lines 50-52.

However, Ito specifies that the housing includes "a cover glass plate 4 [that] is disposed in an inclined relationship such that the lower end thereof is positioned on the inner side with respect to the upper end thereof *in order to prevent a transmission light beam from being reflected regularly and returning to the optical system*" (column 3, line 64- column 4, line 2, emphasis added). Thus, the Ito housing is deliberately and unequivocally designed to prevent light from being reflected back to the optical system. This disclosure directly and unequivocally *teaches away* from a housing that is specifically designed as "including a reflective surface adapted for receiving the reference signal from the monitor optical signal generator and for directing the reference signal to the monitor optical signal detector."

Additionally, the modification proposed by the Examiner would render the references unsuitable for their intended purposes. Ito is designed so that the optical space transmission apparatus is disposed on the roof of a building in an opposing relationship to another optical space transmission apparatus having a similar construction, that is, an apparatus of an object of communication." Column 3, lines 37-41. Thus, rather than teach the claimed housing, Ito teaches a multiple unit construction that "can reduce the frequency of replacement of a light emitting element" (abstract, Ito). If the Examiner's proposed modifications were to be implemented, the Ito system would not work as intended, and therefore the strictures of §103(a) are not met.

Similarly, Degura discloses an optical space communication apparatus that includes "a transmitting optical system for transmitting the first light signal *to a party apparatus* [and] a receiving optical system for receiving a second light signal *including a second pilot signal having been transmitted from the party apparatus*..." Abstract, Degura. Notably, Degura also requires that the optical space communication apparatus comprise two objects – the transmitting optical system and a party apparatus. Each object generates light transmissions that are decoded by their complementary object. Such a teaching clearly does not teach the claimed elements and, if modified as suggested by the Examiner, would not work as intended. Indeed, there would seem little motivation for one of ordinary skill in the art to transmit a coded signal (i.e. the result of 'multiplexing a first pilot signal with a transmission signal' as disclosed in the abstract of Degura) directly to the same unit that just coded the signal, and then decode the coded signal with the same device that had just coded the signal. One of ordinary skill in the art would not be motivated to design such a system, and such a modification would, at a minimum, destroy the fundamental principle of operation of Degura.

Therefore, not only do the references not teach or suggest each and every element of the claims, the combination of references is improper, as there can be no motivation to combine.

For similar reasons, the references do not teach or suggest, and teach away from the limitations of claims 2 and 13. Claims 2 and 13 require that the reference optical signal is substantially identical to the optical output signal. Thus, claims 2 and 13 are allowable over the references for at least this additional reason.

Claims 3 and 15 each require that the apparatus include a controller "for controlling the output optical signal of the generator in response to the monitoring signal." In contrast, Degura teaches a controller for "adjusting an angle of the *receiving* optical system" (abstract, emphasis added) and therefore teaches away from controlling the *output* optical signal.

Additionally, claims 2-3, 5, 7, 8, and 13-15 depend directly or indirectly from claims 1, 10 or 12, and are therefore patentable over the prior art for at least the same reasons.

Withdrawal of the rejections to claims 1-3, 5, 7, 8, 10, 12-15 is requested.

D. Claims 4, 6, 9, and 11 were objected to as depending from a rejected base claim

The objection to claims 4, 6, 9, and 11 is traversed. Each claim depends directly or indirectly from claims 1, 10 or 12, and is therefore patentable over the prior art for at least the same reasons.

Withdrawal of the objection to claims 4, 6, 9, and 11 is requested.

E. Claims 16-20 are allowable over the prior art

Claims 16-20 each depend from claims 1 or 10, and are therefore patentable over the prior art for at least the same reasons as claims 1 or 10. Additionally, the prior art neither discloses, nor teaches or suggests, each and every claim limitation. Allowance of claims 16-20 is requested.

CONCLUSION

The Applicants respectfully submit that claims 1-27 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,
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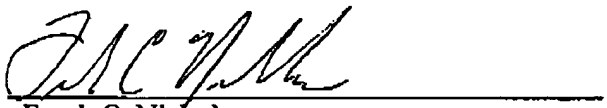

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